DAVANGERE TOWN MUNICIPALITY.

Dated 17th April 1925.

The right to collect tolls at the toll-gates as noted in Schedules A and B during the official year 1925-26, will be sold by public auction at the places and on the dates specified against each gate.

2. Persons intending to bid at the sale must attend in person or by a duly accredited agent. Every such person should deposit beforehand an amount equal to one-sixth of the contract amount for the previous year as shown in Schedule A, as earnest money. The deposits of all the bidders, except the first two or three whose bids are to be recommended for acceptance, will be returned at the close of the sale. The deposit of the successful bidder who will be called the contractor, will be returned only on fulfilment of the contract. The deposits of the remaining bidders will be returned soon after the confirmation of the sale.

3. The sale will not become absolute until confirmed by the authority noted in Schedule A who reserves the final power of refusing or accepting, without assigning any reason whatever, the highest or any bid that may be offered.

4. The contractor shall, within fifteen days of the receipt of information of confirmation of the sale in his favour, execute an agreement on a duly stamped paper binding himself and his heirs to observe the conditions hereinafter set forth and to be subject to the penalties, forfeitures and liabilities referred to therein and shall furnish if he does not hold property in Mysore, at least two sureties who own sufficient properties in the Mysore State for the due performance of the contract.

5. The contract shall not be transferred by sale, gift or otherwise, or sub-leased without the previous sanction of the Municipal Council.

6. The contract amount shall be paid in twelve equal monthly instalments in advance on the 1st day of every month into the Municipal Office.

7. The contractor shall have no claim to the fees recovered from persons compounding the payment of toll in accordance with the Standing Rules and Orders approved by Government. He shall also pay along with the instalments, the authorised Local, Railway and Educational Cesses, if any, at the prescribed rates.

8. Interest at 9 per cent per annum shall be levied on all overdue amounts till date of payment.

9. The contractor shall collect tolls only at the rates and at the gates on the traffic specified in Schedules A and B.

10. The contractor shall give to the person paying the toll a proper receipt showing the date and hour of payment of toll.

11. The contractor shall keep at the toll-gate true accounts of the daily collections and of the traffic passing through the toll-gate. These accounts shall be open to the inspection of the Municipal President. He shall, if required by the Municipal President, furnish to the office at the end of every month, a true return for the month showing the traffic passing through the gate in the prescribed form.

12. The contractor will have the use of the existing toll house and the gate without payment of any rent, and he should keep them in good repair, failing which, the cost of repair will be recovered from him. If any toll-gate or house is required, it will be put up at the cost of the Municipal Council.

13. The contractor shall not be entitled to any remission of the contract amount or to any compensation on account of seasonal conditions or any other cause whatever.

14. The contractor shall conform generally to the rules published in the late Chief Commissioner's Notification No. 274, dated 4th November 1876, and the rules issued under the Local Boards and Village Panchayets Regulation or the rules framed by the Municipal Council under the Municipal Regulation. He shall recognize all exemptions made by the statute or rules in force for the time being. He shall pay special attention to the following points :—

(*a*) A table of authorized tolls shall be legibly written in English and Kannada and shall be put up in a conspicuous place near the toll-gate.

(*b*) Animals drawing any vehicles for which tolls can be demanded are not also to be charged with toll.

(*c*) No more than one payment of toll shall be demanded at any toll-gate in respect of any vehicle in any one period of twenty-four hours counted from sunrise to sunrise.

(*d*) Carts laden with bone or other substance as manure shall be treated as unladen and tolled accordingly.

(*e*) No toll shall be levied on footpassengers.

(*f*) No tolls shall be levied for the passage of Troops or Military Stores or equipages or of Police Officers on duty or of any person or property in their custody or of any property *bona fide* belonging to Government as established, where proof is required, by the production of a pass or certificate from any officer of the department to which the property belongs, authorised by the Deputy Commissioner or by Government to grant such certificates or passes, which pass or certificate shall be delivered up at the last toll-gate passed before the cart,

carriage, or animal, conveying such property, reaches the destination noted in such pass or certificate.

(g) No toll shall be levied for the passage of traffic, cars, animals, etc.—

(1) Belonging to the Municipal Council;
(2) Conveying Municipal servants on duty or property in the custody of such servants;
(3) Licensed by the Municipal Council;
(4) Assessed by the Municipal Council to Municipal taxation provided the tax has been paid in advance;
(5) Possessed by a person who has compounded with the Municipal Council for a prescribed sum in accordance with the rules approved by Government;
(6) Engaged by the Postal Department to convey Mails;
(7) Belonging to the Honourable the British Resident in Mysore;
(8) Belonging to Government servants travelling on duty who are certified by their respective immediate superiors as being not entitled to travelling allowance;
(9) Belonging to His Highness the Maharaja or His Highness the Yuvaraja.

15. Any breach of the above conditions or rules on the part of the contractor or his servants will entail the forfeiture of the deposit or the levy of a fine not exceeding Rs. 50 for each infringement. If the fine be not paid or in the event of instalments or other sums due are not paid within the prescribed date, it shall be competent to the President to suspend further collection of toll by the contractor and dispose of the right to collect the toll during the remaining period by a resale or otherwise. The resale will be held at the risk of the defaulting contractor who shall be liable to make good all losses accruing, but shall not be entitled to any profits arising from the resale.

16. The imposition of fine or resale of the contract shall be no bar to the prosecution of the contractor or his employees for any offence or to the institution of other legal steps against them under any law in force for the time being.

M. CHENNARAJA URS,
President, Town Municipality.

SCHEDULE A.

1.	Name of toll-gate	Davangere Town Municipal toll-gates.
2.	Situation of the gate ...	On the town limits.
3.	Whether toll is to be levied on through traffic, in-coming traffic or out-going traffic ...	In-coming traffic.
4.	Traffic specially exempted from payment of toll on account of the peculiar situation of the toll-gate or the special requirements to the people near the toll-gate.	Nil.
5.	Amount of deposit required	Rs. 2,500.
6.	Place of sale	Chamarajendra Memorial Hall, Davangere.
7.	Date of sale	20th May 1925 at 2 P.M.
8.	Officer conducting the sale	The President, Town Municipal Council, Davangere.
9.	Officer confirming the sale	The Municipal Council, Davangere.
10.	Remarks	.....

SCHEDULE B.

Details of Traffic.	*Rate.* Rs. a. p.
Every laden cart or carriage	0 4 0
Every empty cart or carriage	0 2 0

N.B.—Carts carrying firewood, fodder and thatch should be treated as unladen for the purpose of levying tolls.

SHIMOGA TOWN MUNICIPALITY.

Dated 17th April 1925.

It is hereby notified that the right of collecting fees on carts, etc., entering the limits of Municipal Market at Shimoga on Shandi days during a period of one year, from 1st July 1925 to 30th June 1926 will be put to public auction at 12 noon on Friday the 22nd May 1925 in the Town Municipal Office by the President or by the Vice-President of the Municipality

2. Persons intending to bid at the auction must attend in person or by a duly accredited agent. Every such person shall deposit beforehand a sum of Rs. 25 as earnest money. The deposits made by unsuccessful bidders will be returned at the close of the sale. The deposit of the successful bidder who will be called the contractor, will be returned only on fulfilmen of the contract.

3. The sale will not become absolute until confirmed by the President who reserves the final power of refusing of accepting without assigning any reason whatever, the

highest or any bid that may be offered.

4. The successful bidder hereinafter termed contractor, shall on the sale being knocked down to him, at once deposit a sum sufficient to make up with his previous deposit three-twelfth of the amount of his bid. He shall within fifteen days of the receipt of intimation of confirmation of the sale in his favour, execute an agreement on a duly stamped paper binding himself and his heirs to observe the conditions hereinafter set forth and to be subject to the penalties, forfeitures and liabilities referred to therein and shall also furnish, if he does not hold property in Mysore, at least two sureties who own sufficient properties in the Mysore State for the due performance of the contract. If default is made either in making the deposits or in executing the agreement as above, the amounts, if any, already deposited will be forfeited and the right to collect the toll shall be forthwith resold or otherwise disposed of by the President.

5. The contract amount is payable in twelve monthly instalments due on or before the 20th of the following month. If defaut is made in the payment of instalment, the contractor will forfeit the deposit and the unexpired portion of the contract will also be liable to be sold and the deficit will be recovered from the contractor, who shall not be entitled to the profit, if any.

6. The contract shall not be transferred by sale, gift or otherwise or sub-leased without the previous sanction of the Municipal Council.

7. The contractor shall have no claim to the fees recovered from persons compounding the payment of fees in accordance with the Standing Rules and Orders approved by Government. He shall also pay along with the instalments, the authorised Local, Railway and Educational Cesses, if any, at the prescribed rates.

8. Interest at 9 per cent shall be levied on all overdue amounts till date of payment.

9. The contractor shall collect fees at the market gates and at the rates noted below :—

On one head-load 0-0-3. On one animal-load 0-0-6 ;

One single bullock cart-load 0-1-0. Double bullock cart-load 0-2-0.

10. The contractor shall give to the person paying the fees a proper receipt showing the date of payment. A table of authorised fees, shall be legibly written in Kannada and shall be put up in a conspicuous place near the market gates.

11. Articles purchased in the market and exposed again for sale are liable to a fee at the rate of three pies per bag, not exceeding one anna in any one case.

12. No fee will be levied for pitching tents, etc., after obtaining the receipt for payment of the prescribed fees at the gate.

13. The contractor shall be bound to carry out any orders that may issue from the Municipal Office.

14. The contractor shall be bound to see that the articles are exposed for sale only at the places allotted for the purpose.

15. He shall give instructions to the people resorting to market, such of the articles condemned by any Sanitary Officer as unfit for consumption, will be liable to be destroyed and on that account no compensation can be claimed by the owner.

16. The contractor shall keep the market gate, stalls, and the premises clean. He shall not allow entrance to persons suspected to be suffering from leprosy or any epidemic diseases.

17. The contractor shall keep at the gate, true accounts of the collections and of the traffic passing through the gate and at the end of every month a copy thereof shall be sent to the Vice President for check. These accounts shall be open to the inspection of the President, the Vice-President or such other officer or Councillor of the Municipality as the President may specially authorise in this behalf. He shall, if required by the President furnish to Municipal Office, at the end of every month, a true return for the month showing traffic passing through the gate in the prescribed form.

18. The contractor shall not be entitled to any remission of the contract amount orto any compensation on account of seasonal conditions or any other cause whatever.

19. Any breach of the above conditions or rules on the part of the contractor or his servants will entail the forfeiture of the deposit or the levy of a fine not exceeding Rs. 20 for each infringement. If the fine is not paid or in the event of instalments or other sums due are not paid within the prescribed date, it shall be competent to the President to suspend further collection of the fees by the contractor and dispose of the right to collect the fees during the remaining period by a resale or otherwise. The resale will be held at the risk of the defaulting contractor who shall be liable to make good all losses accruing, but shall not be entitled to any profits arising from the resale.

20. The imposition of fine or resale of the contract shall be no bar to the prosecution of the contractor or his employees for any offence or to the institution of other legal steps against them under any law in force for the time being.

K. SUBBA RAO NAIK,
For President.